

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

---

No: 21-1160

---

In re: Cotter Corporation, (N.S.L.)

Petitioner

---

No: 21-1165

---

Tamia Banks; Ronnie Hooks; Joel Hogan; Kenneth Niebling; Kendall Lacy; Tanja Lacy; Willie Clay; Bobbie Jean Clay; Angela Statum; Missouri Rentals Company, LLC, on behalf of themselves and all others similarly situated

Plaintiffs - Appellees

v.

Cotter Corporation

Defendant - Appellant

Commonwealth Edison Company; DJR Holdings, Inc., formerly known as Futura Coatings, Inc.; St. Louis Airport Authority, a Department of the City of St. Louis

Defendants

-----  
American Nuclear Insurers

Amicus on Behalf of Appellant(s)

---

Appeals from U.S. District Court for the Eastern District of Missouri - St. Louis  
(4:20-cv-01227-JAR)

---

**JUDGMENT**

Before LOKEN, COLLOTON, and BENTON, Circuit Judges.

These appeals from the United States District Court were submitted on the record of the district court, briefs of the parties and were argued by counsel.

After consideration, it is hereby ordered and adjudged that the petition for writ of mandamus in 21-1160 is dismissed as moot and the order of the district court in 21-1165 is reversed and the cause is remanded to the district court for proceedings consistent with the opinion of this court.

January 07, 2022

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

---

/s/ Michael E. Gans